

# MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

January 16, 2020 - 9:30 am to 12:15 pm  
Polk County River Place – Room 1  
2309 Euclid Ave, Des Moines, Iowa  
MEETING MINUTES

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## MHDS COMMISSION MEMBERS PRESENT:

Thomas Bouska (phone)  
Thomas Broeker  
Dennis Bush (phone)  
Teresa Daubitz  
Jody Eaton  
Kathryn Johnson  
Geoffrey Lauer (phone)

Shari O'Bannon  
John Parmeter  
Maria Sorensen  
Richard Whitaker  
Russell Wood  
Lorrie Young

## MHDS COMMISSION MEMBERS ABSENT:

Cory Turner  
Senator Jeff Edler  
Senator Pam Jochum

Representative Joel Fry  
Representative Scott Ourth

## OTHER ATTENDEES:

|                      |  |
|----------------------|--|
| Theresa Armstrong    | MHDS, Bureau Chief Community Services & Planning |
| Mary Beck            | Family member                                    |
| Teresa Bomhoff       | Mental Health Planning Council                   |
| Kim Callaher         | Plains Area Mental Health Center                 |
| Terry Demory         |  |
| Mardi Deluhery       | Family member                                    |
| John Hedgecoth       | Amerigroup                                       |
| Jane Hudson          | Disability Rights Iowa                           |
| Sandi Hurtado-Peters | Department of Management                         |
| Linda Kellen         | Department of Inspections and Appeals            |
| Julie Maas           | MHDS, Community Services & Planning              |
| Stacie Maass         | Iowa Total Care                                  |
| Flora Schmidt        | Iowa Behavioral Health Association               |
| Cynthia Stiedl       | Eyerly Ball                                      |
| Jason Vermeer        | Iowa Total Care                                  |

## Welcome and Call to Order

John Parmeter called the meeting to order at 9:34 am and led introductions. Quorum was established with nine members present and three participating by phone. No conflicts of interest were identified.

## Approval of Minutes

Russell Wood made a motion to approve the December 5, 2019 meeting minutes. Lorrie Young seconded the motion. The motion passed unanimously.

## Administrative Rules

Theresa Armstrong said that she was bringing the children's behavioral health system Chapter 25 rules package to the Commission requesting they adopt the rules and move them forward for

implementation. Theresa said the Department received 22 comments from five individuals. Theresa said the comments were in four topic areas including definitions, general, governing boards and advisory councils, and cost-sharing and resources. Theresa reviewed the comments received and the Department's response to each comment. Theresa said one change was made based on the comments and that was to add "mental illness" to the definition of early identification.

John Parmeter asked if there was any discussion or questions on the rule package. John said that if not he would entertain a motion to adopt the rules package. Russell Wood made a motion to adopt the children's behavioral health system rules package and Jody Eaton seconded the motion. The motion to adopt the rule package passed unanimously.

### **Update on Children's System State Board**

John Parmeter said the Children's Board met on December 6<sup>th</sup> in Cedar Rapids. The meeting included clarification on the role of the Board and the differences between the Executive Order Board and the Board established by legislation. John suggested the Commission look at incorporating recommendations from the Children's Board in their annual report since the Children's Board does not have the ability to provide legislative recommendations. John said the Children's Board had another Regional CEO panel and most of the CEOs are concerned about their ability to fund the complex needs services and the children's services. John gave an update on the work from the subcommittees. John said the Children's Board also had a presentation on the Green Bandana Program from Kennedy High School in Cedar Rapids.

There was discussion on the workforce shortage in Iowa and the Governor's State of the State speech. There was discussion on the proposal to cap property tax levies and fund the mental health system with state sales tax and the possible benefits and concerns with the proposal.

### **Community Mental Health Centers – Laura Larkin and Mary Mohrhauser**

Laura Larkin introduced herself and said that she would be giving a review of the CMHC requirements and who their target population. Laura reviewed the handout provided on the CMHC required services, target population, and number of CMHCs in Iowa. Mary Mohrhauser introduced herself and said that she is the contract manager for the CMHCs who choose to utilize mental health community block grant dollars. Mary reviewed the requirements set out by SAMHSA and legislative language for using the block grant. There was discussion on the requirements laid out by SAMHSA and how the block grant may not be used for facility or residential services and is for individuals who do not have Medicaid or insurance to pay for services.

There was discussion on the legislative language that requires CMHCs to use the block grant for staff training or services for the target population. There was discussion on why CMHCs might not use all of the block grant dollars allocated to them and the importance of CMHCs having access to the dollars to be able to do activities they wouldn't be able to do through Medicaid funding. There was discussion on the flexibility of what CMHCs can put in their contracts and the collaborative process between the CMHCs and DHS. There was discussion on what activities are Medicaid/MCO reimbursable and what activities are not but can be paid for using the block grant.

### **MHDS Update –Theresa Armstrong**

Theresa said that she would start her update with Rick's retirement. Theresa said that Rick's last day is January 23<sup>rd</sup> and his position will be split into two positions. There will be a MHDS

Division of Facilities and a MHDS Division of Community Services which will include targeted case management.

Theresa gave an overview of the Governor's state of the state speech and budget. The Governor said she will be coming out with an Invest in Iowa Act which will include a combination of property tax dollars and sales tax dollars for the mental health system. The proposal includes reducing the property tax levy to \$12.50 per capita and the Governor put in 80.6 million which would be a total of 120 million for regions. The maximum the regions can currently levy is 116 million and they spent 113 million in FY 19 and FY18.

There was discussion on how the state money would be distributed to the regions and how some of that would be worked out in the details. There was discussion on if this would be enough funding for complex needs services and the children's system. Theresa stated this is funding for one year and the question is how much the regions need for FY21. There was a discussion on using sales tax to help fund the system and how this could be negatively impacting the poor.

There was discussion on how the proposal would not adequately fund the regional system and what the Commission could do to express concern. The Commission discussed writing a letter to the Governor communicating concerns about proposed funding or writing an addendum to their annual report. The Commission requested the topic be added to the agenda of their next meeting as a voting item.

Theresa Armstrong said that DHS is working on setting up a meeting with staff from the Governor's office and Regional CEOs to discuss how to fully fund the system.

Theresa said that Medicaid is looking at the habilitation program. They are looking at tiered rates and using an assessment that has an acuity result and can be used with tiered rates.

Theresa said that DOJ visited Glenwood and will back again mid-February. They will be looking at adequacy of integrated placement, nursing and medical care, and uncontrolled human subject experiments. Director Garcia has asked for assistance from other departments and the University of Iowa is doing peer reviews, examining patients and looking at records. The Department is also working with a contractor who has worked with resource centers in other states to look at improvements that can be made and working with staff. The Director is committed to making changes now and not waiting for the results from the DOJ investigation.

Theresa said that the Co-Occurring Conditions Report from the Directors of DHS and IDPH has been submitted. The report focuses on bringing the CCBHC model statewide and how to get the state on that path. The report includes administrative rules, funding structure, and laws that need to change. The report looks at building a safety network of providers including the IPN and CMHCs and how services are provided. The report also looks at IDPH's data collection system and how mental health providers could be incorporated. The report also includes the two departments working together on stigma reducing activities.

There was discussion on providers being concerned about the report and education and conversation about the CCBHC model is needed. There was discussion on how the CCBHC model allows for community collaboration and can be a network of agencies providing a package of services including mental health and substance use disorder services.

**Public Comment**

Jane Hudson stated she believes Director Garcia should attend Commission meetings.

Flora Schmidt said that Joel Fry introduced legislation that addresses telehealth reimbursement rates and it is a step in the right direction.

Teresa Bomhoff said there has been federal legislation on a 3 digit number for the national crisis line and asked how that will impact Your Life Iowa. Theresa Armstrong said that she imagined YLI will continue operating the same as it is now. Teresa said mental health parity continues to be an issue in Iowa and encouraged parity to be an issue that needs to be resolved to help with workforce shortage.

The meeting adjourned at 12:35pm.

Minutes respectfully submitted by Julie Maas.